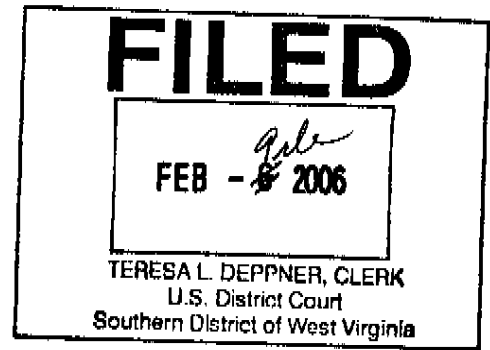


United States District Court
For The Southern District of West Virginia

Michael W. Allen, Reg. 22452-057
Beckley Federal Correctional Institution
P.O. Box 350
Beaver, West Virginia, 25813.
Petitioner,



v.

Civil Action No. 5:06-0096

John Doe AKA Director
Federal Bureau of Prisons
320 First Street, N.W.
Washington, D.C. 20001

John Doe AKA Regional Director
Federal Bureau of Prisons
10010 Junction Drive
Annapolis Junction, Maryland

Charles T. Felt, Warden
Beckley FCI
P.O. Box 350
Beaver, West Virginia 25813

D. McLain, D.O. Clinical Director
Beckley FCI
P.O. Box 350
Beaver, West Virginia 25813,
Respondent(s)

Motion For Emergency Injunction and Restraining

Statement of Facts

The Prison Director, Regional Director, Warden Charles T. Felt, are individually and/or very collectively allowing medical staff to deny serious surgery or delay it for very unreasonable periods of time.

On or about October 30, 2005, I was involved in a fist fight, as a result to same I sustained broken noses, cuts on forehead, and major cuts under eye. I was transported hospital and seen by a physician, whom stated that Petitioner needed surgery and be scheduled a operation.

The medical staff acting under the supervision of Doctor D. McLean, have neglected to secure a operation and

are stating that an operation is too expensive and because of cost it will not be made available to Petitioner Allen.

Subsequently Petitioner is in constant pain, and occasionally passes out from extreme headaches from pressure on the brain.

Public Interest

The Prison Director, Regional Director, Warden ~~Charles~~ Charles T. Felt, and Clinical Director D. McLean are denying myself (Petitioner) and other inmates legal and Constitutional Rights and Law under 28 C.F.R. § 91.

Warden Felt has personal knowledge that inmates are being refused regular recognizable surgery due to objective of

Medical Unit STAFF to save money and increase their profits.

Lack of Affirmative Action

The Culture makeup of STAFF is white and more than 98% are directly related; this poses an insensitivity toward Black inmates and contributes to them being denied medical treatments improperly in Prison Clinic. This disparity is fostered by The Prison Director, Regional Director, Warden Felt, and Clinics Director McLean.

Routinely denied of Surgery Needed

Due to racial imbalance in Prison Medical Staff, Black inmates are 100% denied needed Surgery and other dire medical

Treatment outside of Law and Legal Criticism. This action is Fostered by Prison Director, Regional Director, Warden Felt and Clinical Directors McLean.

Petitioner Medical Record Supports
NEED FOR SURGERY without delay.

Petitioner visits to outside Hospitals and Recommendation of Doctor, clearly establish a Prima Facie Cause for Surgery and is supported by Medical Record.

Yet he is being denied surgery for serious medical condition, solely because of Medical Staff Protocol for Profit over inmate Health care. The Denial of Surgery results from negligence of Prison Director, Regional Director, and Warden Felt.

Interactive Relief

Petitioner Allen is being denied surgical operation, and remain in constant pain for reason of the same.

Restraintment Relief

Prison medical staff are denying treatment routinely, ~~that~~ has been prescribed by Doctor at Hospital.

Relief Sought

1. Court Order Issued Injunction and Restraintment
2. Court Order issued Protection against reprisal and Retaliation from staff with Court Fines and imprisonment imposed accordingly.
3. Court Order Issued Directing Prison Directors to submit all contracts with Medical Unit staff and/or Contractor for Review by Court.

Certification of Truth

I Certify under Penalty of Perjury That
the above statements are True and Correct,
Pursuant to 28 U.S.C. § 1746.

Respectfully Submitted,
Michael W. Allen
Michael W. Allen

Certification of Service

I Certify That the above Document was
forWARDED to the Clerk of Courts on
5th day of February, 2006 via Prepaid
Postage.

Respectfully Submitted
Michael Allen
Michael W. Allen